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Attorneys for Defendants  
VXN GROUP LLC; STRIKE 3 HOLDINGS, LLC;  
GENERAL MEDIA SYSTEMS, LLC; and  
MIKE MILLER

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

MACKENZIE ANNE THOMA,  
a.k.a. KENZIE ANNE, an  
individual and on behalf of all  
others similarly situated,  
  
Plaintiff,  
  
v.

VXN GROUP LLC, a Delaware  
limited liability company; STRIKE  
3 HOLDINGS, LLC, a Delaware  
limited liability company;  
GENERAL MEDIA SYSTEMS,  
LLC, a Delaware limited liability  
company; MIKE MILLER, an  
individual; and DOES 1 to 100,  
inclusive,  
  
Defendants.

Case No. **2:23-cv-04901 WLH (AGRx)**

**DECLARATION OF BRAD S. KANE  
IN SUPPORT OF DEFENDANTS'  
MOTION TO BIFURCATE  
DISCOVERY**

Date: May 17, 2024  
Time: 1:30 pm or later  
Courtroom: 9B

*[Filed concurrently with Defendants'  
Notice of Motion and Motion to Bifurcate  
Discovery; [Proposed] Order]*

Complaint Filed: April 20, 2023  
Removed: June 21, 2023

**DECLARATION OF BRAD S. KANE IN SUPPORT OF DEFENDANTS'  
MOTION TO BIFURCATE DISCOVERY**

1 I, Brad S. Kane, hereby declare as follows:

2 1. I am an attorney licensed to practice law in the State of California  
3 since 1990, the State of Alaska since 1991 and Washington State since 2003. I am  
4 the owner of the Kane Law Firm (“KLF”), and counsel for Defendants VXN Group  
5 LLC (“VXN”), Strike 3 Holdings, LLC (“Strike 3”), General Media Systems, LLC  
6 (“General Media”), and Mike Miller (“Miller”) (collectively, “Defendants”). I am  
7 personally familiar with, and, if called upon, could and would testify to the facts  
8 contained herein from my personal knowledge.

9 2. My senior associate Eric Clopper (“Clopper”) emailed Plaintiff’s  
10 counsel Sarah Cohen (“Cohen”) and Rafael Yedoyan (“Yedoyan”) on March 20,  
11 2024, in an attempt to timely meet and confer regarding this motion. Cohen  
12 responded to Clopper’s March 20, 2024 email on April 1, 2024, accepting the  
13 invitation to meet and confer. Due to scheduling conflicts and a sick day, the  
14 earliest the parties were able to meet and confer regarding this motion was April 3,  
15 2024. During this meet and confer, the parties did not agree to bifurcate discovery,  
16 and Plaintiff’s counsel was unwilling to estimate how long Phase I discovery  
17 should take if the Court were to grant Defendants’ Motion to Bifurcate. Finally, to  
18 avoid any prejudice to Plaintiff, Defendants have offered to stipulate to Plaintiff  
19 having up to year for Phase II discovery and their proposed MMC after completion  
20 of Phase I and the early dispositive motions. Plaintiff rejected that offer.

21 3. On July 11, 2023, Plaintiff filed a state action related to this federal  
22 action alleging that Defendants violated identical Labor Code provisions under the  
23 California Private Attorney General Act (“PAGA”). To conserve judicial  
24 resources, Defendants requested Plaintiff consolidate her identical claims in one  
25 case or stay the state court actions pending resolution of the Federal Class Action  
26 to: (i) conserve the Court and the parties’ scarce resources; and (ii) prevent  
27 conflicting and inconsistent rulings. Plaintiff refused to do so.

4. In the PAGA action, on October 9 and 10, 2023, Plaintiff's initial discovery directed only towards VXN sought no less than 86 Requests for Admissions, 110 Requests of Production of Documents, and 159 Special Interrogatories, in addition to form interrogatories.